

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Civil Action #:  
12-CV-2173(SJ)

Plaintiff,

VERIFIED ANSWER

-against-

TWO HUNDRED EIGHTY-NINE THOUSAND  
EIGHT HUNDRED DOLLARS, MORE OR LESS,  
IN U.S. CURRENT (\$289,800.00) SEIZED FROM  
LUIS DAMIAN JACAS ON NOVEMBER 17, 2011;

TWO THOUSAND EIGHT HUNDRED FIFTY ONE  
DOLLARS AND FIFTY ONE CENTS, MORE OR  
LESS, IN U.S. CURRENCY (\$2,851.51) SEIZED FROM  
LUIS DAMIAN JACAS ON NOVEMBER 17, 2011;

TWO HUNDRED EIGHTY EIGHT (288) BOTTLES  
OF WINE SEIZED FROM LUIS DAMIAN JACAS  
ON NOVEMBER 17, 2011 AT WINE CARE  
STORAGE LLC ON NOVEMBER 17, 2011;

THEN THOUSAND DOLLARS MORE OR LESS,  
IN U.S. CURRENCY (\$10,000.00) SEIZED FROM  
ERIC R. BRAHMS ON NOVEMBER 17, 2011;

EIGHT HUNDRED SEVENTY THREE THOUSAND  
FOUR HUNDRED SEVENTY NINE DOLLARS,  
MORE OR LESS, IN U.S. CURRENCY (\$873,479.00)  
SEIZED FROM IRWIN GUTMAN ON NOVEMBER  
17, 2011; AND

EIGHT THOUSAND TWO HUNDRED DOLLARS,  
MORE OR LESS, IN UNITED STATES CURRENCY  
(\$8,200.00) IN U.S. CURRENCY SEIZED FROM  
ELLE CHONG ROZAN ON NOVEMBER 17, 2011;

Defendants In Rem.  
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Clamant, Gael Gordon, by and through her attorney, David Segal, Esq., alleges,  
upon information and belief, as follows:

*Rosa Martinez  
Legal Assistant*

1. Denies each and every allegation set forth in paragraphs of the verified complaint numbered “8”, “9”, “10”, “11”, and “12”.

2. Denies the allegations set forth in paragraph of the verified complaint numbered “13” except admits that a State search warrant was executed at a Manhattan Mini Storage Unit, in the County of New York and that \$289,800.00 in US currency was seized.

3. Denies the allegations set forth in paragraph of the verified complaint numbered “14” except admits that \$2,851.51 and \$350.00 were seized at Luis Damian Jacas’ residence and that 288 bottles of wine were seized from a unit at Wine Care Storage LLC.

4. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraphs “15”, “16”, “17”, “18”, “19”, “20” and “21”.

5. Denies that the In Rem properties in paragraphs “13” and “14” are derived from proceeds traceable to violations of 18 U.S.C. 1029.

**FIRST AFFIRMATIVE DEFENSE**

The Court lacks subject matter jurisdiction.

**SECOND AFFIRMATIVE DEFENSE**

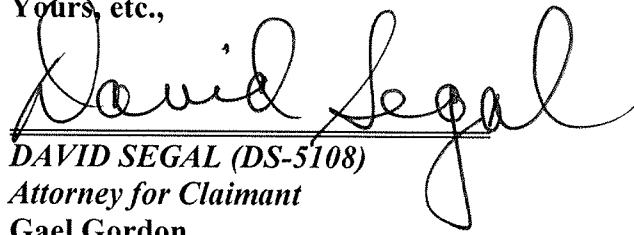
The venue for this action belongs in the Southern District of New York.

WHEREFORE, claimant requests that the verified complaint be dismissed and for such other and further relief as this Court deems just and proper.

Dated: New York, New York

June 18, 2012

Yours, etc.,

A handwritten signature in black ink that reads "David Segal". The signature is fluid and cursive, with a large initial "D" and a long, sweeping "S".

**DAVID SEGAL (DS-5108)**

*Attorney for Claimant*

**Gael Gordon**

**30 Vesey Street, Suite 900**

**New York, New York 10007**

**Tel. No.: (212) 406-9200**

VERIFICATION

Gael Gordon, being duly sworn deposes, says, and verifies:

I have read the Verified Answer and know the contents thereof. That the matters contained in the Answer are true based upon my personal knowledge.

I declare under penalty of perjury that the Answer is true and correct to the best of my knowledge, information and belief.

Dated: New York, New York 0  
June 18, 2012

  
GAEL GORDON

Docket No.: **12-CV-2173(SJ)**

Year:

RJI No.:

Hon:

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

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EIGHT HUNDRED DOLLARS, MORE OR LESS,  
IN U.S. CURRENT (\$289,800.00) SEIZED FROM  
LUIS DAMIAN JACAS ON NOVEMBER 17, 2011;  
et al,

Defendants In Rem.

**VERIFIED ANSWER**

**DAVID SEGAL**

Attorney for Claimant Gael Gordon  
Office & Post Office Address, Telephone

**30 VESEY STREET  
NEW YORK, N.Y. 10007  
(212) 406-9200**

To:

Signature (Rule 130-1.1-a)

Print name beneath

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated, \_\_\_\_\_

Attorney(s) for

Please take notice

1 NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within names court on

1 NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for settlement to the HON.  
one of the judges of the within names court, at  
on

Yours, etc.

**DAVID SEGAL**

Attorney for Claimant Gael Gordon  
Office & Post Office Address

**30 VESEY STREET  
NEW YORK, NY 10007**

To:

Attorney(s) for: